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| 09/932,038 | 08/16/2001 | Eric D. Edwards | 80398.P431 | 5224 |
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| BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030 | | | LIN, KELVIN Y | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2142 | |

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,038

Applicant(s)

EDWARDS ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37, and 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/11/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

Response to Arguments

Applicant's arguments with respect to claims 1-37, and 41-46 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-37, and 41-46 are rejected under 35 U.S.C 103(a) as being unpatentable over Cook D., (US Patent No. 6496744) in view of Ludwig et al., (US Patent No. 6816904).
2. Regarding claim 1, Cook teaches a computerized method, comprising:
 - receiving from a first device, across one or more networks, one or more files to a storage location, each of the one or more files having a first format (Cook, col.4, l.45-48, col.9, l.22-26, in which the first format is wave audio format, and the first device is storage server across one or more networks); and

Although Cook teaches the limitation of receiving files stores in the storage server except the format conversion.

However, Ludwig teaches:

- transferring a selected file onto a different media based on input from the first device, the selected file having a second format differing from the first format (Ludwig, col.14, l.20-25, l.36-50, col.15, l.20-30, in which the MPEG-based (e.g. wave audio format) as a default format can be transferred to RealMedia, or Netshow as the second format);

It would have been obvious to one ordinary skilled in the art at the time of invention by Applicant to incorporate with the Ludwig video multimedia storage server within the Cook's structure for storing and manufacturing customer A/V data product.

The motivation would be that the combination of Ludwig and Cook's storage server because both system are deal with MPEG-based Audio/Video product and file transfer, based on customer's need which to improve the service quality and mass production.

- providing file transfer notification to a second device, across the one or more networks (Ludwig, col.29, l.1-8).

3. Regarding claim 2, Cook further discloses the method of claim 1, further comprising: generating a media transfer request (Cook, col.7, l.31-33).
4. Regarding claim 3, Cook further discloses the method of claim 2, further comprising: providing media transfer notification to the second device, across the one or more networks (Cook, col.7, l.44-47).
5. Regarding claim 4, Cook further discloses the method of claim 1, wherein the first device is the same as the second device (Cook, col.6, l.30-50, col.7, l.33-

- 40, the order device and manufacture device are the same devices at the system).
6. Regarding claim 5, Cook further discloses the method of claim 1, further comprising, a server receiving input from the first device to select one or more files in archive (Cook, col.7, l.38-39).
 7. Regarding claim 6, the method of claim 1, wherein the first format being a tiff format and the second format being a JPEG format (This is a well known skill in this area of art, e.g. the 2nd USENIX symposium on Internet Technologies and systems, 1999, p. 6 l.1-10).
 8. Regarding claim 7, the method of claim 1, wherein, the first format being a MP3 format and the second format being a DVD format (This is a well known skill in this area of art, e.g. Michael Macedonia, IEEE, computer magazine, Aug, 2000, vol.8, issue 8 page101 col.2).
 9. Regarding claim 8, Cook further discloses the method of claim 6, wherein the server provides media transfer notification to the second device (Cook, col.3, l.33-34, col.7, l.46-49, generated the confirmation number managed by the system).
 10. Regarding claim 9, Cook further discloses the method of claim 1, further comprising, tracking a mailing status of the media transferred files (Cook, col.3, l. 33-34, col.7, l.50)
 11. Regarding claim 10, Cook further discloses the method of claim 1, wherein the first device is Internet enabled (Cook, fig.1, col.5, l. 40-41).

Art Unit: 2142

12. Regarding claim 11, Cook further discloses the method of claim 1, wherein the first device is telephony enabled (Cook, col.1, l.66-67) .
13. Regarding claim 12, Cook further discloses the method of claim 1, wherein the first device selected from the group consisting of an ATM, a photo kiosk, a personal computer, a pager, telephone, and an Internet-enabled PDA (Cook, col.1, l. 66-67).
14. Regarding claim 13, Cook further discloses the method of claim 1, wherein the second device is telephony enabled (Cook, col.2, l.18-19).
15. Regarding claim 14, Ludwig further discloses the method of claim 1, wherein the second device is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enabled PDA differing from the first device being a computer (Ludwig, col.4, l.40-45).
16. Regarding claim 15, Cook further discloses the method of claim 1, wherein the second device is a letter delivered by a public mail system (Cook, col.3, l.43-44, col.10, l.56-57).
17. Regarding claim 16, Cook further discloses the method of claim 1, wherein the received files are graphic files (Cook, col.7, l.11-12).
18. Regarding claim 17, Cook further discloses the method of claim 1, wherein the received files are audio files (Cook, col.4, l.23-24).
19. Regarding claim 18, Cook further discloses the method of claim 1, wherein one of the one or more networks is the PSTN (Cook, col.2, l.30-31).
20. Regarding claim 19, Cook further discloses the method of claim 1, wherein one

of the one or more networks is selected from the group consisting of the Internet, WAN, and LAN. (Cook, col.6, l.33-34)

21. Regarding claim 20, Cook further discloses the method of claim 19, wherein VPN is implemented (Cook, col.8, l.26-33, VPN is defined as a wide area network formed of permanent virtual circuits on another network such as ATM..-Microsoft Computer Dictionary)
22. Regarding claims 21-30 have similar limitations as claims 1, 3-4, 10-11, 16, and 19. Therefore, Claims 21-30 are rejected for the same reasons set forth in the rejection of claims 1, 3-4, 10-11, 16, and 19.
23. Regarding claims 31-33 have similar limitations as claims 21,22.
Therefore, Claims 31-33 are rejected for the same reasons set forth in the rejection of claims 21,22.
24. Regarding claim 34, Cook further discloses the apparatus of claim 33, further comprising: means for tracking a mailing status of the transferred media (Cook, col.3, l. 33-34, col.7, l.50).
25. Regarding claim 35, Cook further discloses a machine-readable medium having executable instructions for performing a method, the method comprising:
 - transferring one or more files across one or more networks (Cook, col.2, l.63-67, col.6, l.7-10);
 - transferring at least one of the one or more files into a different media (Cook, col.2, l.30-35);
 - providing file transfer notification (Cook, col.10, l.15-20); and

- providing media transfer notification (Cook, col.10, l. 8-11, l.50-55).
26. Regarding claim 36, Cook further discloses the machine-readable medium of claim 35 having further executable instructions for performing a method, the method further comprising: transferring the one or more files from the archive to a different media (Cook, col.4, l.45-50).
27. Regarding claim 37, Cook further discloses the machine-readable medium of claim 35 having further executable instructions for performing a method, wherein the media transfer notification confirms a successful file transfer into an archive (Cook, col. 9, l.1-22, here is retrieved from directory and into working file "i.e. archive" and ready for download.).
28. Regarding claims 41-42 have similar limitations as claims 35-36.
Therefore, Claims 41-42 are rejected for the same reasons set forth in the rejection of claims 35-36.
29. Regarding claim 43, Cook further discloses the system of claim 41, further comprising: one or more files converted to a different media and the different media delivered to an address (Cook, col. 4, l.30-35, col.10, l.50-55).
30. Regarding claim 44, Cook further discloses the system of claim 43, wherein a media transfer notification is sent to the second device to provide tracking information on a shipment of the files transferred to the different media (Cook, col. 7, l.45-50).
31. Regarding claim 45, Ludwig further discloses the system of claim 41, wherein the first device is the same device as the second device is a cellular telephone

(Ludwig, col.15, l.58-59).

32. Regarding claim 46, Ludwig further discloses the system of claim 41, wherein the second is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enable PDA differing the first device being a computer (Ludwig, col.4, l.40-45).

Conclusion

Application's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10/21/05

KYL


BEATRIZ PRIETO
PRIMARY EXAMINER